

Senate Bill No. 1901

CHAPTER 409

An act to amend Section 24205 of the Business and Professions Code, relating to alcoholic beverages.

[Approved by Governor August 17, 1996. Filed with
Secretary of State August 19, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1901, Maddy. Alcoholic beverages: licenses: suspension.

The Alcoholic Beverage Control Act requires the suspension of a taxpayer's alcoholic beverage license in the case in which that taxpayer fails to pay any taxes or penalties due under the Alcoholic Beverage Tax Law.

This bill would expand this suspension requirement to also apply in the case of a taxpayer who fails to pay any taxes or penalties due under the Sales and Use Tax Law, the Bradley-Burns Uniform Local Sales and Use Tax Law, or the Transactions and Use Tax Law, when that liability arises in whole or in part from the exercise of the privilege of an alcoholic beverage license. This bill would also provide that any suspension under this expanded requirement may only be imposed if the taxpayer is at least 3 months delinquent.

The people of the State of California do enact as follows:

SECTION 1. Section 24205 of the Business and Professions Code is amended to read:

24205. The license of any taxpayer shall be automatically suspended upon cancellation of his or her bond, or if the bond becomes void or unenforceable for any reason, or if the taxpayer fails to pay any taxes or penalties due under the Sales and Use Tax Law (Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code), the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code), or the Transactions and Use Tax Law (Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code), when that tax liability arises in whole or in part from the exercise of the privilege of an alcoholic beverage license, or under the Alcoholic Beverage Tax Law (Part 14 (commencing with Section 32001) of Division 2 of the Revenue and Taxation Code). The license shall be automatically reinstated if the taxpayer files a valid bond, or pays his or her delinquent taxes, as the case may be. A suspension under this section for a tax delinquency

may only be imposed if the taxpayer is at least three months delinquent.

Upon the petition of any taxpayer whose license has been suspended under this section, a hearing shall be afforded him or her after five days' notice of the time and place of hearing.

